

REMARKS

Claims 1, 3, 10-42, 44, and 51-82 are pending in the application. Claims 1, 20, 42, and 61 are hereby amended. Applicant respectfully requests allowance of the claims and consideration of the following remarks.

Rejections Based Upon 35 U.S.C. § 103(a)

Claims 1, 3, 10-11, 13-42, 44, 51-52, and 54-82 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,324,184 (Hou) in view of U.S. Patent No. 5,638,371 (Raychaudhuri et al). Claims 12 and 53 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Hou in view of Raychaudhuri and further in view of U.S. Patent No. 6,226,680 (Boucher). Applicant respectfully traverses the rejections for at least the following reasons.

Amended claim 1 now specifically requires, in part, receiving a second request for a second communication service into the base station system over a wireless transmission link wherein the second communication service is a different type of service than a first communication service. Claim 1 further requires determining if the second communication service has a higher priority than the first communication service based on the types of service of the first and second communication services.

Hou does not disclose prioritizing between a first and second communication service wherein the second communication service is a different type of service than the first communication service. Furthermore, Hou does not disclose determining if the second communication service has a higher priority than the first communication service based on the types of service of the first and second communication services. Rather, Hou merely discloses prioritizing based on users, not prioritizing based on services as required by claim 1.

In particular, Hou disclose assigning slots in a MAC based upon a user hierarchy, not a service hierarchy. For example, Hou discloses that *the assigned bandwidth for the subscriber units may be determined according to a subscriber unit hierarchy* (Hou, col. 2, lines 44-51). Hou further discloses that *bandwidth can optionally be allocated according to a user hierarchy* (Hou, col. 11, lines 11-12). As a result, Hou allows for a situation wherein one service could receive priority over another service at one point in

time, and the situation reversed at another point in time simply because of the identity of the users using the respective services at any particular time. Such a situation would not be possible if, in fact, Hou disclosed prioritizing based on services. Instead, Hou merely discloses prioritizing based on users, not prioritizing based on different types of services as required by claim 1.

A discussion of Raychaudhuri and Boucher is obviated in view of the discussion above distinguishing Hou. Thus, Hou, Raychaudhuri, and Boucher, separately and in combination, fail to teach or suggest all the limitations of claim 1.

Independent claim 42 contains limitations similar to claim 1 and is therefore allowable over the prior art for at least the same reasons as claim 1.

It should be noted that dependent claims 20 and 61 have been amended to require that the first communication service is a web browsing service and that the second communication service is voice communication. The references, separately and in combination, fail to teach or suggest prioritizing between web browsing and voice communications.

The remaining dependent claims contain limitations that render them separately allowable over the prior art. However, for the sake of brevity and because the dependent claims depend from allowable independent claims, applicant forgoes such a discussion.

CONCLUSION

The claims in their present form are allowable over the art of record. Applicant therefore solicits their allowance. Any fees in addition to those submitted may be charged to deposit account 21-0765.

Date: 11-21-05



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